SURPRISED BY CRAWFORD

The Fighting Railroad Attorney Turns Up Unexpectedly at Greencastle.

Plaintiffs Suddenly Made Defendants While They Were Pushing a Case Against the Monon-Mr. Parsons Resigns.

Some two months ago a suit was brought in Putnam county by contractors and others, for \$50,000, against the Louisville, New Albany & Chicago Railroad Company as damages for not fulfilling its contract in completing and leasing the Fort Wayne, Terre Haute & Southwestern. Yesterday was the day set for the trial, and the plaintiffs from three different States were in court to testify as to the matter. Suddenly. Harry Crawford, sr., who was supposed to be in New York looking after the affairs of the Richmond Terminal Company, came into court and brought suit against William Breyfogle and others interested to set aside the lease on the ground that it was fraudulently obtained from the L. N. A. & C. company, William Breyfogle, then president of the company, being interested in the building of the road and endeavoring to saddle it on the Monon. Mr. Crawford brought the suit so unexpectedly that the summonses were served on all parties from the different States before they left Green-castle. The amusing part of the affair was that the sheriff had considerable trouble in securing the names of the persons against whom the suit was brought, they refusing to give them that summons might be prepared. The whole affair created a good deal of excitement in the county seat, so completely were those made defendants surprised over the turn matters have taken. Expensive and interesting litigation is promised before the matter is settled. Mr. Crawford returned to New York last even-ing, feeling quite proud of what he had accomplished in the twelve hours he was in Indiana.

The application of the New York, New Haven & Hartford Railroad Company to the Legislature of Connecticut, to increase its capital stock to \$100,000,000, is calling forth a good deal of comment, as it indicates that the company is planning to secure more of the New England roads. If the company is permitted to increase its capital to that amount and maintains its present rate on dividends, it will be distinguished in that particular beyond any other railway corporation in the United States. It is no longer unusual to hear of mortgages for so large a sum, or even larger, but stock issues of that amount are somewhat rare. In fact, there are but three systems capitalized in so large a sum. The Pennsylvania road is a conspicuous exception, it being espitalized for \$127,000,000 at present, on which it pays 6 per cent. dividends; the other companies are the Atchison, Topeka & Santa Fe, with a capital stock of \$102,-000,000, and the Southern Pacific, with \$119,000,006. Neither the Atchison nor the Southern Pacific pays dividends on stock, however, and neither can be put in the same entegory with the Pennsylvania or the New York, New Haven & Hartford reads, which never fail to pay dividends.

The N. Y. & N. E. in Control of the Reading. A special meeting of the directors of the New York & New England road was held in New York yesterday and the resignation of Charles Parsons, jr., Clarence S. Day, William Lummis and A. R. Flower were handed in to take effect March 14. On the authority of Mr. Flower it may be positively stated that the Reading has control of the company. Immediately after the announcement of Mr. Parsons's resignation a meeting of the Reading recervers was hastily called at Philadelphia. The Reading's pay-cars were started out soon before noon and funds are being disbursed all along the line. There were no new developments yesterday in the affairs of the company. Mr. McLeod said it would be several days before any plan could be

Personal, Local and General Notes. After May 1, on a number of Eastern roads, passes will not be honored on fast mail or limited express trains. Foster Groves has been appointed ticket and

freight agent of the Vandalia at Hibbard, on the O. Bell, superintendent of the eastern division of the Lake Erie & Western, with headquarters at Lima, O., is in the city on official business.

L. B. Cooke, formerly auditor of the Cincinnati, Wabash & Michigan, has been appointed general agent of the Big Four at Columbus, O. It is stated officially that the traffic over the Kentucky and Indiana bridge, crossing the Ohio. has increased 500 per cent, in the last two years. The mother of George and John Rech, ticket agents of the Pennsylvania lines at the up-town office, dled yesterday. She had been ill for some

The Cincinnati, Hamilton & Dayton has completed its new bridge over Whitewater river.

Philip Hesse, who for eight years has been chief train dispatcher of the Alton road in Bloomington, Ill., resigned yesterday, to take effect Tuesday. It is stated that J. T. Odell, general manager of

the Baltimore & Onio, is soon to retire, and the impression is that he intends to return to the John Wells, connected with car works at Chicago, is visiting his brother, A. G. Wells, superintendent of the St. Louis division of the Big

Four, for a day or two. Under the new order of things on the Big Four G. W. Kittredge, chief engineer, is to have full

It is stated, semi-officially, that E. M. Noel chief train dispatcher of the Big Four's St. Louis division, will, on the retirement of A. G. Wells, become superintendent of that division.

charge of the maintenance of way department

as well as new construction work.

The stone traffic from the quarries at Bedford, Ind., with the Monon, is unusually heavy for a winter mouth. More trains are running on this class of traffic than in any former February. John Lewis, detective of the Belt road and Union Railway Company, who has been confined to his bed for six weeks with rheumatism, has so much improved that he yesterday sat up for a

The committee of trainmen on the Erie lines west of Salamanca have gathered again at the headquarters of General Manager Tucker, preparatory to renewing their demands for an in-

The grievance committees of the Jay Gould Southwestern lines, who have been in session at St. Louis for ten days, have returned to their respective homes without, seemingly, having taken

The returns of net railway earnings for De-

cember are coming in more favorably than was expected. The total for 124 companies is \$20 .-794,504, an increase over December, 1892, of \$54,652, or one-fourth of 1 per cent. J. A. Summons, contracting agent of the Big

Four at this point, has been appointed rate clerk, the position to be re-established in the Big Four office, corner of Washington and Meridian streets. H. S. Fraser is hereafter to be the contracting freight agent at this point.

W. D. Sherwood, superintendent of transporta-tion, and David Morris, chief train dispatcher of the Wheeling & Lake Erie, have tendered their resignations, to take effect March 1. They are to take similar positions on the Cleveland, Lorain & Wheeling, it is stated.

A. W. Dickson, general superintendent of the Missouri Pacific, who has been spending a month on his farm near Seymour, Ind., for the benefit of his health, which had become somewhat broken, is improving, and will be able to resume his official duties in a short time.

Oscar Murray, vice president of the Big Four, authorizes the statement that hereafter all positions vacated will be filled by promotion of men in the company's service if men of ability to fill such positions are in the company's employ. He says that the appointment of J. Q. Van Winkie as general superintendent was really not going out of the ranks of the Big Four, as from boy-

May depend upon the way you treat the warnings which nature gives. A few bottles of

S. S. S. taken at the proper time may insure good health for a year or two. Therefore act at once, for it IS IMPORTANT

nat nature be assisted at the right time.

never falls to relieve the system of impurities, and is an excellent tonic also.

He Wants to Add His Name.

"Permit me to add my name to your many other certificates in commendation of the great curative properties contained in Swift's Specific (S. S. S.) It is certainly one of the best tonics I ever used.

"JOHN W. DANIEL, Anderson, S. C." Treatise on blood and skin diseases mailed tree. SWIFT SPECIFIC CO., Atlanta, Ga.

hood he had been connected, until a few months ago, with some portion of what now constitutes

the Big Four system. The Columbus, Shawnee & Hocking Velley road has been released from its contract with the Big Four, by which the latter furnished an entrance to the Union Station at Columbus and did the freight switching work at that point. The contract otherwise would not have expired

The engineers on the Vandalia running the three new ten-wheel engines are not at all worried about reaching a terminal on time if they chance to leave the other terminal thirty to forty minutes late, so readily do these engines pick up ten cars and move off at a speed of sixty to sev-W. B. Roberts, formerly private secretary of

Governor Chase, has been appointed to look after the interests of Eastern capitalists who have under contemplation the building of the projected Fort Wayne, Indianapolis & Southern road, a proposed line from Fort Wayne, via Indianapolis, to Evansville.

As soon as the frost is out of the ground the Nickel-plate and the Lake Shore roads (old main line) are to be connected by building a short link. The former will then use the old Lake Shore main line between Silver Creek and Dunkirk, a piece of track over which the Lake Shore now runs only local trains.

As a result of the family squabble which has been going on in the official ranks of the Chicago & Eastern Illinois, R. G. Matthews, general superintendent, yesterday retired, and F. L. Corwin, trainmaster, was appointed his suc-cessor. Warren Godfrey, chief train dispatcher, was appointed trainmaster.

A. J. Smith, general passenger agent of the Lake Shore, and secretary of the American Association of General Passenger and Ticket Agents, has issued a call for the next annual meeting of the association. The place selected for the meeting is Cumberland Gap Park, Four Seasons Hotel, Harrogate, Tenn., and the date is

Joseph Ramsey, jr., was yesterday unani-mously elected vice president and general man-ager of the St. Louis Terminal Association, with the understanding that with the retirement of William Taussig, now president, he will be elected president of the company. The columns of matter which have appeared in one of the Cincinnati papers to the effect that Mr. Ramsey would not be confirmed apparently have not the

On Wednesday the following official changes took effect on the Lake Shore road: Assistant Superintendent P. S. Biodgett goes to the Philadelphia & Reading as general manager; T. F Whittelsey, superintendent of the Michigan division, becomes assistant general superintendent; D. G. Sutfin, who has been superintendent of the western division, is made freight agent at Chicago, and his place as superintendent is taken by A. B. Newell, who has been superintendent of the Youngstown division; A. H. Smith, of the Lansing division, is made superintendent of the Michigan division, to fill the place made vacant by the promotion of Mr. Whittelsey.

To settle a question which has been raised the Journal is asked to state whether the appointment of a general superintendent as assistant to the president is a promotion. This depends entirely on the duties the man appointed as assistant to the president is to perform. In one case recently noted it was a promotion, as the assistant to the president is to have full charge of traffic and transportation matters. In another case recently mentioned the general superintendent, who was appointed assistant to the president, the circular said, would act as purchasing agent or perform any other duty assigned him. This was not a promotion, but is characterized in railroad circles as the first step toward a freezeout of the man appointed assistant to the presi-

The committee on uniform train rules of the American Railway Association met in Chicago yesterday. It has under consideration certain proposed modifications in the standard code of rules, and the del'berations will probably extend over two days. The members of the committee present at the session were: Robert Pitcairn. superintendent of the Pennsylvania lines; J. L. Harrihan, vice president of the Illinois Central; W. I. Allen, assistant general manager of the Rock Island; W. C. Brown, general manager of the Hannibal & St. Joseph; T. E. Clark, general superintendent of the Minneapolis & St. Louis, and W. H. Conneff, assistant general superintendent of the Lake Shore The committee will prepare a report to be submitted to the association at its next meeting.

WALKING DELEGATE HERE.

Switchmen, It Is Said, in Secret Meeting, Pledged Money, but Would Not Strike.

As yet the switchmen in the various yards at this point have shown no uneasiness or disposition to demand higher wages, and no talk of strikes, except as regards the one in progress at Chicago, 18 heard. It is known that a walking delegate of the Chicago switchmen's union has been here taking soundings among the switchmen, and that as a result a secret meeting has been held at which the situation was fully discussed. It is stated that while the Indianapolis switchmen were not in a mood to say that they would strike, they were willing to aid the switchmen at Chicago, should they go out, financially. The position is taken that about 40 per cent, of the switchmen here have been in the service a long series of years, and are owners of their homes, and they are not eager to run the risk of joining in any strike, no matter how much they favor the striking s witchmen at any point. So many lost their positions when the last strike was on in Indianapolis that a majority of the switchmen would prefer to go along without showing their hand by striking.

The Strike Not Spreading. CHICAGO, Feb. 23.-Trains on the Chicago & Western Indiana road to-day were from one to three hours behind time, though the mails were put through on time. The officials of the road did the work of switch-tenders, and say that ey do not fear a strike on any other branches of the service. They expect to be runmanagers of the roads centering here met. to-day, to discuss the possible situation. It was the sense of the meeting that any reasonable demands of the men would be given careful attention, but no terms would be made fused to allow time for their consideration. Both officals and switchmen on the Atchison. Topeka & Santa Fe declare that there is no probability of a strike on that system.

World's Fair Electrical Men Go Out. CHICAGO, Feb. 23.-Electrical linemen to the number of 225 at the world's fair struck to-day because refused an advance in wages. They received \$2.50 a day and asked \$3. Director Burnham declares the work is in such shape that the fair will not be embarrassed.

LACKEY'S HORSE SALE.

The Eighty-Three Head Disposed of on the Third Day Averaged \$250.

Special to the Indianapolis Journal. CAMBRIDGE CITY, Ind., Feb. 23 .- To-day, the third day of J. S. Lackey's speed sale. was marked by a large attendance of horsemen. The prices range with the stock offered, the fancy-bred horses taking the lead. The sales to-day were eighty-three head, amounting to about \$20,500, an average of \$250. Following are some of the

Ben Adhem, bl. s., consigned by Oakland Stock Farm, Montpeller, sold to L. McGibbs, of Hartford City, for \$725: Jay Girl, 1 m., by Neil & Neirmons, Montpelier, to D. J. Thomas, Norwalk, O., for \$650; Joy Boy, d. s., by Neil & Neirmons, to W. E. Steford, of New Carlisle, O., for \$320; Allie C., 18853, ch. s., consigned Ben Caidwell, of Louisville, sold to Crockett, of Richmond, for \$800; George Middleton, 15267, b. h., by W. D. Hager, of Wauseon, O., to Charles Kohtheir, of Cambridge City, for \$525; Luella Shawhau, bl. f., by Dan Shawhan, of Falmouth, to W. C. Miles, of Anderson, \$295; American Jay, 14627, r. c., by Elm Farm Stock Company, to T. E. Thomas, of Connersville, for \$510; Actress, bl. f., by Elm Stock Farm Company, of Connersville, to John Galton, of Vincennes, for \$550; Wyandot, b. g., by Ed Beeson, sold to M. Colby, of Philadelphia, Pa., \$570; Jennie B. b. m., by R. H. Wells, of Crown Point, to F. Lackey, of Richmond, for \$375; Wilkins, 6434, br. s., by R. H. Wells, sold to D. R. Alton, of Vincennes, for \$960; Belmont, b. g., by Charles Beeson, of Bontonville, to Z. Holden, of Sheboygan Falls, Wis., \$400.

Monbars Sold for \$13,000. NEW YORK, Feb. 28.—The much-talked-of sale of trotters, which began at Tattersall's this morning, was but fairly attended, despite the fact that Monbars (2:1134), Susie 8. (2:154) and a number of other flyers and prospective record-breakers were announced to be sold. Monbars was started at \$5,000. From this the price jumped up to \$11,000, and finally to \$13,000, at which figure Monbars was knocked down to Duan Walton, of this city. The sales in order

Lady Tennyson, \$750, to E. D. Flint, Homersville, Conn; Susette (2:2812), \$1,000, to W. R. Thompson, New York city; Latopia, b. f., \$1,530, to D. J. Leathers, Battle Creek, Mich.; Renta, \$800, to James Steiner, New York; Monbars, three-year-old record 2:11%, b. s., by Eagle Bird (2:21), out of Lady Maud (2:18%), \$13.000, to (2:21), out of Lady Maud (2:184), \$13,000, to Dunn Walton, New York; Pixley (2:16), b. m., by Jay Gould, out of Loto, \$4,000, to J. S. Coxey, Massillon, O.; Pilgrim (2:204), b. c., by Acolyte, out of Cathedral, \$4,800, to J. B. Duke, New York; Promoter (2:18), b. c., by Acolyte, out of Musette, \$3,400, to J. B. Fiint, Homersville, Conn.; Vatican (2:18), eh. g. by Acolyte, out of Santa Ciaus, \$1,700, to B. F. Lord, Thompsonville, Conn.; Vielliers, b. c., by Norval, out of Cathedral, \$6,500, to R. C. Beckert, Danbury, Conn. The twenty-three horses sold brought, \$49,925,

an average of a trifle over \$1,500 each. DR. BULL'S COUGH SYRUP is sold everywhere, and it always cures coughs and colds.

FOX, THE COUNTERFEITER

Judge Baker Declared Him Worthy of Severity-Given Ten Years,

Hart and McComb Escaped Lightly-Suit to Restrain Ben Coleman's Father from Abrogating Contract-Mrs. Wilkins Fails.

James Fox, alias Harry Williams, Thos. Hart and William McComb, known as the gang of New Albany counterfeiters, were placed on trial in the federal court, yesterday, on the several charges of making, having in their possession and passing counterfest money. The two last pleaded guilty to them, and were passed by for the trial of Fox before sentence was pronounced. Fox, in a brazen manner, declared himself to be innocent, and was tried by a jury. Attorney Newton Harding appeared for him. A score or more of witnesses appeared against him, including the officers that had arrested him, and others connected with the secret service in different parts of the country. The substance of their testimony was that Fox was at the head of a gang of men who made spurious coin, whose place of operation was at Coon Hollow, an out-of-the-way nook, located just north of New Albany, Ind. They made an exceedingly clever imitation of a silver dollar, and were an industrious lot, turning out a large number of them. The specific charge on which they were being tried was the passing of \$33 of this money in New Albany on one particular night.

Fox was put upon the stand, and his actions there were those of a bravado throughout. He was known to be a dangerous and sly man, and it was thought best to keep a sharp eye on him. Accordingly George Powell was appointed a special deputy to watch him. At one time during the proceedings Fox got up and started to walk across the room. He ad not gone more than two steps until Powell grasped him firmly by the coat tails and yanked him back into his seat with a force that made him grunt. Fox got coolly up in the court room at Louisville some years ago, walked across the floor, and, befere any one had surmised his intention, leaped from the window and made good his escape.

Fox's testimony yesterday was of a very conflicting nature, and he did a great deal toward convicting himself. Among those who testified against him and of his previous record were W. G. Bauer, chief detective of the Louisville district; E. A. Abbott, chief of the Cleveland district, and Major Carter, chief of the local district. The jury was out on the case but a short time, and returned a verdict of guilty on four counts. The men were arraigned before him by Judge Baker, and the scene was an impressive one, even to those used to court proceedings. The room was filled with attaches of the court, witnesses and spectators, and before them, singled out from all the rest, were the three men wait-

ing to hear their fate. The Judge spoke first to McComb. He said that he did not believe that the man before him was a hardened criminal, and that he thought, if given a chance, he would reform. In accordance with these ideas he would make the punishment very light for the offense, but warned him to never be caught in such practices again or it would go hard with him.

He was given thirteen months in the Prison South, and fined \$10. Hart was next called up, and was talked to in much the same manner, except that the Judge believed him to be the worse man of the two. He was given three years in the Prison North, and was fined \$100. Fox came before the tribunal of justice

last, and to him the Judge spoke very sternly. He said: "It has been shown by the evidence here that you are a man for whom there appears to be no reformation, and a man who has been, and always will be, a criminal. Your demeanor on the witness stand has been such as to lead me to believe that you have not told the truth, and that you have willfully tried to mislead the jury. Such being the case, I feel that I will not be doing my duty unless I inflict on you a very severe punishment. The extreme penalty of the law in your case would be a fine of \$2,000, and imprisonment for a period of forty years. I am not disposed to be that severe, but I will inflict one-fourth of it. You will be fined in the sum of \$500. and imprisoned for a period of ten years in

the Prison North. Fox was asked if he had anything to say why judgment should not be passed on him. and replied that there was nothing, except that he would like to go to the southern prison, where he had some friends. "No, sir," replied the Judge: "I will not send you to the Prison South," and the con-

vict hung his head in silence. Fox has been a criminal ever since his boyhood. He is now thirty-two years old, and has a history that reads like a romance from a volume of an "Old Sleuth" library. He is said by the officers not to have an equal in the Middle States as a burglar, highwayman and counterfeiter. He first began operations in Kentucky, and some of the most daring robberies and raids in that State were planned and put into operation by him. He has served two terms in the penitentiaries of that State. At the time of his last gaining of liberty he was met by his sister and mother, who begged him to reform and become a better man. He is said to have pushed them aside with an oath, and to have said that he intended to be a criminal all of his life, He was arrested in this city in 1887 by detectives Carter and Bauer, and was taken to Cleveland, O., where he was sent to the penitentiary for six years for counterfeiting. He has spent nearly half of his life in prison. He was captured this time by detective Smithwick, of the local police force of New Albany. The officer displayed no little courage and ability in cornering bim, and narrowly escaped being shot by the desperado.

Manager Claims the Boy. The Marion county courts have been called upon to settle the question as to which of two persons has the right to the possession of "Little Ben Coleman," the five-year-old prodigy, whose phenomenal performances in the way of reading different languages and knowledge of the Bible has astounded audiences all over the country. The disputants are the boy's father. J. W. Coleman, who is a resident of the State of Texas, and Alvin H. Whited, a resident of the State of Louisians. The latter is the plaintiff in a suit filed in the Superior Court yesterday, in which he sets up a contract with the former, entered into in Caddo parish, Louisiana, whereby the father agreed that in consideration of \$25 per week Whited should have the privilege of exhibiting the boy. The contract provided that in addition to the \$25 per week, Whited should pay all the necessary expenses, both of the boy and his father, who was to accompany him on his travels. The contract was entered into on the 20th day of last month, and was to continue one year from that date. Whited says that he has performed all the obligations imposed upon him by the contract, but that Coleman is about to again take possession of the child and abrogate the contract. Alleging the nonresidence of the defendant and the inadequacy of a remedy at law he asks for a restraining order to prevent him from executing his threats. "Little Ben Coleman," who is the child

in controversy, gave an exhibition of his phenomenal powers at the new Bethel Church, on Beeler street, last Sunday night, and his reading and knowledge was pronounced phenomenal by those who heard

Bruce Carr's Will Probated. The will of Bruce Carr was probated in open court yesterday, according to the precedent established by Judge Brown in the Rice will contest. The will was executed March 24, 1888, during the testator's term of office as Auditor of State. The first bequest is of all the Masonic books in his library, which he bequeathed to the Hacker library of the Adoniram Grand Lodge of Perfection, of the A. and A. rite. The remainder of his library he leaves to his brother, Reed Carr. To his two brothers, John and Emery, he gives the mortgages and notes held by him upon their property in Ford county, Kansas. To Harvey LaFollette and Edward J. Robinson he leaves all his interest in the household furniture in the house at No. 29 Central avenue. In explanation of this bequest the will contains the statement that it is made because the furniture was purchased by the three jointly

hail" at the place. To his cousin, Henry A. Recd, he leaves the sum of \$3,000, and to his father, Harvey Carr, \$5,000. The residue of his estate is left to William H. Smythe, secretary of the Grand Lodge of Masons, Edward J. Robinson and Henry A. Reed, in trust for his daughter Mabel until she shall become of age, when it shall be turned over to her and the trust dissolved; provided, that she is at the time unmarried. If, however, she is married before she be-comes of age, then it is provided that the trus-tees, if, in their judgment, her husband is not a prudent man, capable of taking care of the money, shall retain possession of the property and pay her the income thereon. The three men named as trustees are also appointed executors of the will, and have qualified by filing a bond of \$80,000. The instrument is signed by Frank L. Wyble and John H. Heinrichs as witnesses, the first named having since died, the will was proven by the survivor. The estate is estimated

to be worth \$40,000. Mrs. Wilkins Again Defeated. Georgia Ann Wilkins was again defeated in the Circuit Court in her fight against the Board of Childrens' Guardians. She sued the board to recover possession of her three children, who were taken into the custody of the board. She was unsuccessful in this suit, and appealed to the Supreme Court, where she was again unsuccessful. In briefing the case in the Supreme Court, Clinton L. Hare, attorney for the board, used some language not complimentary to Mrs. Wilkins, and she sued him for libel. Judge Brown sustained a demurer to her complaint, and taxed the cost against her. She then filed suit against the members of the board individually. Yesterday Judge Brown again sustained demurrer to her complaint, and the case was thrown out of court.

Arson Case Affirmed. The Supreme Court has affirmed the decision of the lower court of Daviess county in the case of Samuel Harbin and Bazil Ledgerwood against the State. Ledgerwood and Harbin were sent to the penitentiary for seventeen years on the charge of having been accomplices of Auditor Lavelle in the burning of the courthouse at Washington, Oct. 7, 1891.

Mrs. A. H. Jones Seeks a Divorce, On the grounds of cruel and inhuman treat ment, failure to provide and abandonment Maud Jones seeks a divorce from Albert H. Jones. She alleges that he is a gambler, and has several times become involved in difficulties with officers of the law and had to escape from them by flight, at which times she knew nothing

Old Patterson Mill Recalled. A bit of local ancient history was recalled yesterday before Judge Taylor in the suit of the city against Samuel W. Patterson to quiet title to a small strip of ground lying along the banks of Fall creek, close to the City Hospital, the site of the old Patterson mill, which is remembered

only by the "oldest inhabitant." Court Notes. Andrew Musser was fined \$10 and costs for viplation of the internal revenue laws, and William Slusser was fined \$25 and given sixty days in the workhouse for a like offense.

Alice Caldwell has begun suit against Ella Bass asking \$1,000 damages for alleged slander. The complaint alleges that the defendant, in the presence of other persons, accused plaintiff of immoral conduct.

The Court Record. SUPREME COURT.

15198. Vaden C. Yelton, Administrator, vs E. & T. H. Railroad Company. Greene C. C. Reversed. Olds, J.-An action brought by an administrator for the death of his decedent under Sec. 284, R. S. 1881, is under the exclusive control of such administrator, and it cannot be compromised or controlled by the beneficiaries

under the statute. 16070. Patrick O'Brien et al. vs. Patrick Moffett et al. Huntington C. C. Affirmed. Hackney, J.—One made a party to a suit to foreclose a mortgage when it is alleged that he claims some interest in the property, and the relief sought against him is to foreclose his equity of redemption, if he have such an interest, he is required thereby to assert his interest, and failing to do so he is precluded by the judgment and decrees of foreclosure against it. 15699. Jacob Eckert et al. vs. Charles C.

Burkley et al. Marion S. C. Reversed. Howard, J .- A motion in arrest of judgment cuts off the right to a motion for a new trial, except only where the grounds of the motion for a new trial are unknown at the time the motion in arrest is made. 2. An answer of former adjudication occurring after the trial and judgment below requiring evidence to support it is not properly fied in the Supreme Court for the first time When a reversal by this court, such answer showing a judgment by a proper court between the parties for the same matters is good. 16505. Bazil Ledgerwood vs. State. Daviess C. C. Affirmed. McCabe, J.—The statute | R. S 1881, Section 1927 as amended by the act of March 9, 1891, concerning arson, is valid and in force. Section 237, R. S. 1881, as adopted in 1852, is in force and was intended to get rid of common law offenses in this State and there are no common law offenses in Indiana. 2. Delay of the court to render judgment after the plea

of guilty does not defeat jurisdiction of the court. 3. Withdrawal of a plea of guilty waives the defense of former jeopardy. 16724. State vs. Isaac Hopper. Harrison C. C. Rehearing denied. 16659. Joseph J. Doan et al., Executors, vs. Andrew E. Dow. Hendricks C. C. Transferred SUPERIOR COURT.

Room 1-Hon. Napoleon B. Taylor, Judge. Abraham F. Groff vs. Nathan B. Groff; notes. Judgment by confession for plaintiff for \$46.06. City of Indianapolis vs. Samuel W. Patterson et al.; to quiet title. On trial by court. Room 2-Hon, James W. Harper, Judge. Rezin Hammond vs. Otto N. Roy et al.; suit to

collect rent on a lease. Jury out. Room 3-Hon. Pliny W. Bartholomew. Judge. Charles F. Robbins, Administrator, vs. Cftizens' Street-railroad Company; to set aside transfer of stock. On trial by court.
Abraham F. Groff vs. John C. Groff; note.

Judgment for \$114.08. New Surts Filed. John H. Wagner vs. Francis W. Douglass; note. Alice Caldwell vs. Ella Bass; slander; demand, \$1.000. Room 3. Martin Conarroe et al. vs. L. W. Akers et al.; mechanic's lien. Room 2. The Sinker-Davis Company vs. Frederick B. Comstock; on account and mechanic's lien. Bridget Tarpey vs. Elizabeth Mahoney; specific performance and damages. Room 2.

Alvin H. Whited vs. J. W. Coleman; restrain-

ing order. Room 3 George Kothe vs. Alexander Klepper et al.; foreclosure mortgage. Room 3. John J. Cooper jet al. vs. Christian F. Lout: Maggie McDonald vs. Martin McDonald; divorce. Room 3. Maud M. Jones vs. Albert H. Jones; divorce. Room 2.

CIRCUIT COURT. Hon. Edgar A. Brown, Judge. Pautine C. Wehling vs. Samuel Eichherg et al.; to quiet title. Finding for plaintiff and title Georgia Ann Wilkins vs. Nathaniel A. Hyde et al. (Board of Childrens' Guardians.) Libel. Demurrer to complaint sustained and judgment on demurrer againt plaintiff for costs. Joseph Milligan vs. Charles Orme et al.; foreclosure. Judgment in favor of plaintiff for \$1,-445.76 and decree of foreclosure. Thomas Young, sr., et al. vs. Thomas Young, jr., et al.; contest of will. On trial by jury.

New Suits Filed. Walter A. Wood Mowing and Reaping Machine Company vs. the Indiana Insurance Company; damages. Demand \$1,000. Walter A. Wood Mowing Machine and Reaping Company vs. the Vernon Insurance and Trust Company; damages. Demand \$1,000.

CRIMINAL COURT.

Hon. Millard F. Cax. Judg ..

State vs. James Kinney; robbery. Trial by State vs. Henry Kissenger; robbery. Trial by court; not concluded and continued until Satur-State vs. John Edson and Edward Sands; burglary, grand larceny and receiving stolen goods. On trial by court. Beyond. MISS MARY STANTON.

Gone on beyond-and sorrow has no word To tell how bitterly we miss her face. Her pleasant greeting and her gracious ways. he had such tender sympathy and love For all the good and beautiful in life That those who crossed her path and knew her Were won unconsciously to love her most.

It seemeth well and fitting that the old, Crowned with the frosts of many wintry days. Should leave life's battle field and take their rest; But when the "silent angel" lays his hand Upon a fair, young face, a warm, glad heart. That beats the measure of Hope's sweetest song, We cannot understand—the soul is damb Before the mystery of life and death.

She stood amongst us, as but yesterday. In all the strength and beauty of her youth, Looking afar to what she might achieve For her beloved art in coming years-The years that seemed to beckon her approach And promise the fulfillment of her hope.

Those years will come and go, but her shut Will see no more the visions that inspired Her gifted soul-God only understands Others may do the work she might have done. But none can ever fill the void she left Beside the board and hearthstone of her home. Where Love sits weeping lorn and desolate, Upon the broken altar of her hope -Sarah T. Bolton

Indianapolis, February, 1893. Of Course You Read The testimonials published in this paper relating to Hood's Sarsaparilla. They show

beyond a doubt that Hood's cures. Constipation and all troubles with the at a time when they were keeping "bachelors' liver are cured by Hood's Pills.

UNHOLY TRAFFIC ALLIANCE

How the Pacific Mail and Transcontinental Association Worked Together.

An Agreement That Kept Up Freight Rates-Ovation to Mr. Herbert in the House-Bills Passed by the Senate.

THE PACIFIC MAIL.

Its Agreement with the Transcontinental Association Explained by Mr. Leeds. WASHINGTON, Feb. 23.-The Panama-Pacific Mail investigation was resumed today, and the Pacific Mail end of the investigation was taken up. Mr. Leeds, who was formerly the traffic manager of the Gould roads, but is now the representative of the merchants of California, who form the Merchants' Traffic Association of California, which proposes to put on a line of steamers in opposition to the Pacific Mail company, testified that there had been a compact between the transcontinental railroads and the Pacific Mail Steamship Company. The ratiroads paid the Pacific Mail a subsidy and reserved the right to say what classes of freights the steamships should carry and also fixed the rates to be charged. The management of the Pacific Mail was absolutely in the hands of the Transcontinental association, so far as rates and business were concerned. The effect of the agreement was also to keep up the freight rates on slow-going merchandise around Cape Horn by clipper ships. It was to some extent true that merchants in the interior were compelled to see their freight go clear through to the coast from the cast, paying the through rate, and then to have it shipped back to them at high local rates instead of having the freight delivered on the through trip.
Witness did not think the Panama rail-

road ought to be made free to all and all agreements stopped. He would not recommend to his company to go into the scheme at all without the Panama railroad agreement. The object of the transcontinental association had been to destroy competition between the seaboards in order that the railroads might charge higher rates. In pursuance of this policy the association paid the Pacific Mail company \$75,000 a month in consideration of the steamship company allowing the railroads to fix freight rates, and the Pacific Mail paid the Panama railroad \$55,000 a month for exclusive transportation rights over the railroad. The amount of freight the Pacific Mail company might carry monthly was strictly limited. Witness understood that the Pacific Mail was a government subsidized line, and that the roads in the Transcontinental association had received government aid. It was true that their secret agreement sought to prevent

Mr. Leeds said that he had made a calcuation of the burdens paid by the people of California for transportation within the State only. The gross annual earnings of the Southern Pacific Railroad Company alone, in the State of California, amounted to \$30,000,000, or \$20 per head of the population. Freight rates in California should be decreased 25 per cent., or \$7,500,000 annually over the Southern Pacific. For carrying freight from San Francisco to Fresno, two hundred miles, 5 cents per hundred was charged, which would carry the same freight from New York to Wichita, Kan. No other country than California could stand such rates. E. L. Openheim, secretary treasurer and

the people from getting the benefit of full

director of the Panama Railroad Company. was examined. He said that the reason the Panama Railroad Company did not renew te contract with the Pacific Mail was because the railroad company wished to gain its independence. He further said that in the negotiations for a new contract with the Pacific Mail his company insisted on making rates, but the nonrenewal was the result of actions of C. P. Huntington in the Gen. John Newton, president of the com-

pany, corresponded the testimony of Mr. Openheim, and the committee adjourned.

OVATION TO HERBERT.

The Next Secretary of the Navy Given Hearty Greeting by His Colleagues. WASHINGTON, Feb. 23.—The incident in the House to-day was the ovation tendered the next Secretary of the Navy, Hilary A Herbert, of Alabama. He entered the hall during consideration of the conference on the army appropriation bill and was warmly greeted, and without regard to party his colleagues vied with each other in dos ing him honor. The Indian appropriation bill was taken up, notwithstanding the opposition of Mr. Hatch, who desired to call up the anti-option bill. On motion of Mr. Hitt, a bill was passed for the relief of George W. Jones, late United States minister to New Granada (now the United States of Colombia.) Mr. Jones, who was the first United States Senator from the State of Iowa, was present, and when the Speaker announced that it had been agreed to, he arose and returned his hearty thanks

to Mr. Hitt for his saccessful effort. It was while Mr. Outhwaite was explaining the conference report on the army appropriation bill that Mr. Herbert entered the hall and modestly leaned over the screen in the rear of the chamber. But he could not escape the eyes that were in search of him, and the House spontaneously broke into applause and cheers which lasted several moments, and which evidently came from the heart. Mr. Outh-waite smilingly bowed to Mr. Herbert and vielded him five minutes of his time. And so Mr. Herbert was compelled to come forth from his retirement. He was deeply moved by the cordial reception given him, and his voice quivered as he said: "This reception from men with whom I have associated and whom I have known so long touches my heart in a manner that I have no words to express. I can only say that I thank you from the bottom of my heart." This short speech was greeted with long and loud applause, and then Mr. Herbert held a levee in the rear of the hall.

PASSED TWO APPROPRIATION BILLS. The Diplomatic and Consular and the Milltary Academy Rushed Through the Senate. WASHINGTON, Feb. 23 .- Good progress was made in the Senate to-day in disposing of the absolutely necessary work of Congress. Within less than an hour two of the general appropriation bills-the diplomatic and consular and the Military Academy-were read, considered and passed. And then the legislative, executive and judicial appropriation bill, which appropriates about \$22,000,000, was taken up and considered until the time of adournment, all the amendments which were reported from the committee having been agreed to except as to a few reserved for discussion and action to-morrow. The only item that might have led to a

contest in the diplomatic and consular bill was the amendment authorizing the President of the United States to direct that the American minister to any foreign court represented in the United States by an em-bassador, envoy extraordinary, minister resident, special envoy or charge d'affaires. shall bear the American designation. But no point was made upon it and the amendment was agreed to.

During the discussion the House bill for the reopening and adjustment of the accounts of George W. Jones, while minister to Bogota, New Grenada, was laid before the Senate for reference to the committee on foreign relations, but Mr. Sherman said that that committee bad already considered the matter favorably and asked that the bill be put upon its passage. That course was taken and the bill was passed. its venerable beneficiary being present in the chamber at the time and bowing his

MINOR MATTERS.

Secretary of State Foster Severs His Connection with the Cabinet,

WASHINGTON, Feb. 23 .- Secretary of State Foster bas spent his last day in the department as its official head. His resignation has been in the hands of the President for some time, and the announcement of its acceptance, to take effect today, was made this afternoon. At 4 o'clock Mr. Foster teft for New York, whence, on Saturday, the 25th, in company with Mrs. Foster, Senator Morgan, one of the arbi-

Two Stepping Stones

to consumption are ailments we often deem trivial-a cold and a cough. Consumption thus acquired is rightly termed "Consumption from neglect."

not only stops a cold but it is remarkably successful where the cough has become deep seated.

Scott's Emulsion is the richest of fat-foods yet the easiest fat-food to take. It arrests waste and builds up healthy flesh.

Prepared by Scott & Bowne, N. Y. All draggists

trators for the United States, several at-

taches of the State Department for duty

in connection with the arbitration, and

several personal friends, he will sail in the

New York for Europe, to take charge of the United States case before the Behring sea arbitrators. The counsel for the United

States, Messrs. E. J. Phelps. J. C. Carter and H. W. Blodgett, expect to sail on Saturday. March 4, in the Normandie, for Hayre, In addition to the arguments these gentlemen will make to the arbitrators, it is understood there will also be presented a brief for the United States, prepared by Mr. Frederick R. Coudert, the prominent New

York lawyer. Senatorial Praise for Morton. Special to the Indianapolis Journal.

WASHINGTON, Feb. 23 .- The following letter has been addressed to Vice President Mort n. who has accepted the banquet tendered at the Arlington, next Monday evening: "Sir- he discharge of important duties incl-

dent to your great office as President of the Senate of the United States for the last four years have brought us in close relation with you. Your constant fairness and eignal ability have commanded our respect and confidence, and your uniform courtesy and unvarying kindness have won our regard and personal affection. Desiring to evidence our kindly feeling towards you, we take great pleasure in tendering you a banque at the Arlington Hotel, in this city, on the 27th

The letter is signed by every member of the Senate except six, who are absent.

Scratch a Pop. and You'll Find a Dem. WASHINGTON, Feb. 23 .- Recent events in the West indicate that the Democrats will have enough members in the next Senate to reorgans ize that body without outside aid. Still, if that aid should become necessary, it is pretty well settled that the Populist Senators will vote with the Democrats. Senator Peffer gave utterance to such a statement to-day. "On the question of the organization of the Senate," said Mr. Peffer. "as in all other things, I for one intend to be inc dependent. While that is true, I regard it as my duty to put no obstruction in the right of way to which I regard the Democrats to be entitled by reason of the popular verdict in the recent elec-

Cooper Will Start Another Newspaper. Special to the Indianapolis Journal.

Washington, Jan. 23 .- Edward E. Cooper, a colored man of Indianapolis, who founded the Freeman, has been in Washington for a few days past, and has completed arrangements for establishing here the Colored American, an independent weekly for the colored race. It is said that it will be backed by a cap tal of \$25,000. Mr. Cooper has been a Democrat for some years, but he is very earnest in disciniming that he is after office, or seeking other favors at the hands of the incoming administration.

General Notes

Special to the Indianapolis Journal. WASHINGTON, Feb. 23 .- Gen. Lew Wallace, of Indiana, is at the Metropolitan; A. K. Stoneback. of Indiana, at the National; F. L. Shafer, of Indianapolis, at the Ebbitt; S. A. Morrison and "Laz" Noble, of Indianapolis, at the Arlington, When Major Halford finishes his duties as dissursing officer of the Benring sea commission at

Mrs. Russell Harrison leaves for New Work tomorrow, where she will remain for a few days and return to Washington a short time next week before going West. Mr. and Mrs. Russell Harrison will probably take up their permanent residence in New York. Secretary Foster has been advised that \$1 .-000,000 in gold was taken to-day from the sub-treasury in New York for export. This leaves

Paris, he will be stationed at St. Paul, Minn.

the free gold in the treasury \$3,000,000. If the free gold is much further reduced it is believed that Secretary Foster will sell bonds to protect Messrs. Thurston, Castle and Carter, members of the special Hawaiian commission, have determined to remain in Washington until the Senate disposes of the treaty of annexation now

pending before it in one way or another. It has been their intention to sail from San Francisco for Honolulu on the 3d of March next, but within the past few days they have changed their The total receipts from internal revenue for the first seven months of the present fiscal year were \$96,414,786, being \$7,715,577 more than for the same period last year. Forty citizens of Detroit, Mich., arrived in Washington to-day for the purpose of presenting a magnificent silver punch-bowl to the new cruiser named in honor of their city, which has just been completed at the Columbia iron works, in Baltimore. The ceremony will take place soon,

John V. Finley, of Maryland, to be arbitrator for the United States in the matter of Chillan claims. In the Senate, to-day, the pension-appropriation bill was reported from the committee on appropriations exactly as it passed the House, and was placed on the calendar, to be called up to-The Navy Department has been informed of the arrival of the sunboat Bennington and the cruiser Newark at the Canary islands, with the Columbus carvels Nina and Pinta in convoy. Informal notification was sent to the Navy Dopartment, to-day, from the Italian legation in this city that the Italian government would send three war vessels to take part in the naval re-

The Senate has rejected the nomination o

thorities refund the \$2,500,000 advanced the exposition by the government and settle the question of Sunday opening, finds but little favor on Edward S. Hoar, elder brother of Senator Hoar, and Judge Rockwood Hoar, the former Attorney general, died in this city last night of pulmonary disease, in his seventieth year. In the early days of the Pacific coast he was district attorney of

The proposition to have the world's fair au-

view at New York.

California, and one of the most noted lawyers The President to-day nominated J. E. Cochran, of Nebraska, to be consul of the United States at San Salvader, and R. S. Lewellyn, of Utah, to be judge of probate in the county of San Pete, in the Territory of Utah.

Women Must Sleep.

If they only could sleep eight hours every night and one hour every day: -

would continue to the end: -Years would be added to

Their freshness and beauty

their lives. All derangements of the Uterus or Womb, Ovarian or kidney troubles, uterus tumors, spinal weakness, irregularity, indigestion, exhaustion, or "displacement," drives the nerves wild with excitement,

and sleep is impossible. Lydia E. Pinkham's Vegetable Compound is the one sure remedy. It has saved thousands, and will save you.

It strengthens the womb, removes all pain, and you sleep like a child. No testimonial or

ladies' name is ever pubmission of the person. All druggists sell it.

Address in confidence, Lydia E. PINKHAM MED. Co., LYNN, MASS. Liver Pills, 25 cents.